

Fresno, California

February 9, 2012

The City Council met in regular session at the hour of 8:30 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Oliver Baines III	Councilmember
	Andreas Borgeas	Councilmember
	Lee Brand	Councilmember
	Sal Quintero	Councilmember
	Larry Westerlund	Councilmember
	Blong Xiong	Acting Council President
	Clinton Olivier	Council President

Mark Scott, City Manager
Bruce Rudd, Assistant City Manager
Jim Sanchez, City Attorney
Yvonne Spence, City Clerk
Yolanda Salazar, Assistant City Clerk

Senior Pastor Jim Rodriguez from United Faith Christian Fellowship gave the invocation and President Olivier led the Pledge of Allegiance.

PROCLAMATION OF “FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA) COMPLETION AND AWARENESS 2012” – COUNCILMEMBER BAINES

Read and presented.

APPROVE CITY COUNCIL MINUTES OF FEBRUARY 2, 2012:

On motion of Councilmember Xiong, seconded by President Olivier, carried, RESOLVED, the City Council minutes of February 2, 2012, approved as submitted.

APPROVE FRESNO REVITALIZATION CORPORATION MINUTES OF FEBRUARY 2, 2012:

On motion of Vice Chair Westerlund, seconded by Chair Baines, duly carried, RESOLVED, the FRC minutes of February 2, 2012, approved as submitted.

APPROVE CITY SUCCESSOR AGENCY TO THE RDA MINUTES OF FEBRUARY 2, 2012:

On motion of Member Westerlund, seconded by Member Brand, duly carried, RESOLVED, the Successor Agency to RDA minutes of February 2, 2012, approved as submitted.

COUNCIL MEMBER REPORTS AND COMMENTS:

Councilmember Quintero advised this past weekend the Economic Opportunities Commission/Local Conservation Corps (LCC) “Youth Build” charter school program received a national award for education, and upon his request LCC Director Riggins, accompanied by Youth Build students, stated the award received was for having the highest diploma attainment rate of 96.7% for students who went through the program and expanded further on the program and significance of the award.

Councilmember Borgeas (1) stated he had the best community meeting ever last evening wherein streetlight outages, copper wire theft and public & community safety were the topics, and thanked council staff and department officials who assisted with and participated in the meeting; and (2) commended the San Joaquin College of Law debate team for placing third in a national debate competition with their immigration topic, and added the law school was not yet accredited but they beat some big schools including NYU, Cornell and Michigan.

Councilmember Baines referenced discussion last week while he was absent on the Redevelopment Agency/Successor Agency/Fresno Revitalization Corp./progression on the Oversight Board and gave Council an update on where the city was and how it was going to proceed, spoke to the need for Council to educate Oversight Board members on how/why the RDA operated and the projects that were put forth, stated Council no longer had the authority to approve/not approve projects and also had no ability to decide who will/will not be appointed to the Oversight Board other than providing some input on the City's two appointments, and spoke to the importance of creating relationships/being good partners with the entities that will be making the appointments and encouraging the entities to appoint people who are familiar with the RDA and the workings of the RDA.

Acting President Xiong (1) thanked the Fresno Unified School Board for naming a new southeast elementary school after the late General Vang Pao, added that issue was important and was followed by Hmong communities nation-wide, and thanked everyone who supported this effort and made it come true; (2) thanked/congratulated local partner Me-N-Ed's for all they do for the community and their efforts supporting local non-profits and encouraged everyone to support Me-N-Ed's; and (3) relative to the Oversight Board stated, as he did last week, he wanted to have discussion and input on the appointees and elaborated further on the issue.

Councilmember Westerlund (1) stated he was very shocked and disappointed with misinformation in a Fresno Bee article last Saturday on the RDA \$59 million debt stating nowhere did it state the City was in complete compliance with, and following, California Redevelopment Law and further explained, and added the article was way off base; (2) commented on the High Speed Rail meeting yesterday attended by U.S. Transportation Secretary Ray LaHood stating Mr. LaHood put a lot of information out there and talked a lot about his commitment to have HSR begin here in the central valley and why that made sense, and noted Dan Richard, the new chairman of the California High Speed Rail Authority also attended and was a real breath of fresh air on a subject that has not had a lot of light in quite awhile; and (3) also congratulated Me-N-Ed's for their recent charitable donations to the Poverello House, Catholic Charities, and the Boys & Girls Club stating they were a great company with a real love for the community.

President Olivier, on behalf of FRC Chair Baines, requested members save their comments on the RDA/Successor Agency for the 10:00 a.m. item.

Councilmember Baines left the meeting at 9:10 a.m.

APPROVE AGENDA:

(1-I) RESOLUTION – 509TH AMENDMENT TO MFS RES. 80-420 REVISING GREEN FEES AT RIVERSIDE GOLF COURSE

Removed from the agenda by staff.

(9:30 A.M.) CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL/EXISTING LITIGATION:

(A-1) CASE NAME: CITY OF FRESNO V. CHEVRON USA, ET AL.

Removed from the agenda by staff/to be rescheduled on February 16, 2012.

(9:00 a.m. 'B') RESOLUTION - APPROVING THE APPLICATION FOR (AND ACCEPTANCE OF) UP TO \$1,000,000 IN SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVE PROGRAM GRANT FUNDS FROM THE STATE OF CALIFORNIA STRATEGIC GROWTH COUNCIL, AND AUTHORIZING EXECUTION OF DOCUMENTS

City Clerk Spence corrected the title removing the above italicized language.

On motion of Councilmember Westerlund, seconded by Councilmember Xinog, duly carried, RESOLVED, the **AGENDA** hereby approved, as amended, by the following vote:

Ayes : Borgeas, Brand, Quintero, Westerlund, Xiong, Olivier
Noes : None
Absent : Baines

ADOPT CONSENT CALENDAR:

(1-A) RESOLUTION NO. 2012-19 – APPROVING THE FINAL MAP OF TRACT NO. 5997 (N. CHESTNUT BETWEEN E. SHEPHERD AND E. TEAGUE AVENUES), AND ACCEPTING THE DEDICATED PUBLIC USES THEREIN; AND AUTHORIZING THE PUBLIC WORKS DIRECTOR, PUBLIC UTILITIES DIRECTOR, AND DARM DIRECTOR TO EXECUTE THE SUBDIVISION AGREEMENT AND COVENANTS ON BEHALF OF THE CITY

(1-B) AFFIRM THE APPOINTMENT OF ROBERT ENGLEMAN TO THE DISTRICT 6 IMPLEMENTATION ADVISORY COMMITTEE (COUNCILMEMBER BRAND); AND APPROVE THE APPOINTMENT OF JAMRE QUINN TO THE FULTON LOWELL DESIGN REVIEW COMMITTEE (COUNCILMEMBER BAINES)

(1-C) ADOPT FINDINGS OF CATEGORICAL EXEMPTION (CLASS 1/EXISTING FACILITIES AND CLASS 3/NEW CONSTRUCTION OF SMALL STRUCTURES) PURSUANT TO CEQA FOR THE INSTALLATION OF EMERGENCY GENERATORS AT PUMP STATIONS 69A AT FIRST AND SHIELDS AVENUES, 159 AT HERNDON AND WEST AVENUES, AND 307 AT VALENTINE AND MARTY AVENUES

#1 AWARD A CONTRACT TO CUMMINS WEST, INC., IN THE AMOUNT OF \$279,250.62 FOR THE PURCHASE OF EMERGENCY GENERATORS AND AUTOMATIC TRANSFER SWITCHES, TO BE INSTALLED UNDER SEPARATE CONTRACT, AT THE THREE PUMP STATIONS

(1-D) ADOPT FINDING OF CATEGORICAL EXEMPTION PURSUANT TO CEQA, E.A. NO. EA-11-019, RELATIVE TO THE SUMMARY VACATION OF A PUBLIC SEWER EASEMENT AND A PUBLIC TEMPORARY CONSTRUCTION EASEMENT BETWEEN E. BELMONT AND E. WHITE AVENUES EAST OF N. MILLBROOK

#1 RESOLUTION NO. 2012-20 – ORDERING THE SUMMARY VACATION OF THE PUBLIC SEWER EASEMENT AND PUBLIC TEMPORARY CONSTRUCTION EASEMENT

(1-E) APPROVE THE FILING OF A NOTICE OF INTENT TO ADOPT MND EA-11-008, BY THE CITY OF FRESNO, FOR THE WIDENING AND PLACEMENT OF ASSOCIATED FRONTAGE IMPROVEMENTS ALONG THE SOUTH SIDE OF NEES AVENUE AND THE WEST SIDE OF WILLOW AVENUE, AT THE SOUTHWEST CORNER OF THE NEES/WILLOW INTERSECTION IN THE COUNTY OF FRESNO

#1 APPROVE ACQUISITION OF ONE PUBLIC STREET EASEMENT THAT IS NECESSARY FOR THE WIDENING AND PLACEMENT OF ASSOCIATED FRONTAGE IMPROVEMENTS FROM A PORTION OF ONE PARCEL OF PROPERTY OWNED BY DEYOUNG WILLOW & NEES L.P., A CALIFORNIA LIMITED PARTNERSHIP, AT 2386 E. NEES IN THE AMOUNT OF \$52,700; AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION

(1-F) APPROVE THE FILING OF A NOTICE OF INTENT TO ADOPT MND EA-11-008, BY THE CITY OF FRESNO, FOR THE WIDENING AND PLACEMENT OF ASSOCIATED FRONTAGE IMPROVEMENTS ALONG THE SOUTH SIDE OF NEES AVENUE AND THE WEST SIDE OF WILLOW AVENUE, AT THE SOUTHWEST CORNER OF THE NEES/WILLOW INTERSECTION IN THE COUNTY OF FRESNO

#1 APPROVE ACQUISITION OF A PUBLIC STREET EASEMENT THAT IS NECESSARY FOR THE WIDENING AND PLACEMENT OF ASSOCIATED FRONTAGE IMPROVEMENTS FROM A PORTION OF PROPERTY OWNED BY SUHARDI “TONY” TJUANTA AT 7853 N. WILLOW AVENUE IN THE AMOUNT OF \$87,250; AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION

(1-G) APPROVE THE FILING OF A NOTICE OF INTENT TO ADOPT MND EA-11-008, BY THE CITY OF FRESNO, FOR THE WIDENING AND PLACEMENT OF ASSOCIATED FRONTAGE IMPROVEMENTS ALONG THE SOUTH SIDE OF NEES AVENUE AND THE WEST SIDE OF WILLOW AVENUE, AT THE SOUTHWEST CORNER OF THE NEES/WILLOW INTERSECTION IN THE COUNTY OF FRESNO

#1 APPROVE ACQUISITION OF A PUBLIC STREET EASEMENT THAT IS NECESSARY FOR THE WIDENING AND PLACEMENT OF ASSOCIATED FRONTAGE IMPROVEMENTS FROM A PORTION OF PROPERTY OWNED BY SUHARDI “TONY” TJUANTA AT 2895 E. NEES AVENUE IN THE AMOUNT OF \$99,900; AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION

(1-H) APPROVE THE FILING OF NOTICE OF INTENT TO ADOPT MND EA-11-008, BY THE CITY OF FRESNO, FOR THE WIDENING AND PLACEMENT OF ASSOCIATED FRONTAGE IMPROVEMENTS ALONG THE SOUTH SIDE OF NEES AVENUE AND THE WEST SIDE OF WILLOW AVENUE, AT THE SOUTHWEST CORNER OF THE NEES/WILLOW INTERSECTION IN THE COUNTY OF FRESNO

#1 APPROVE ACQUISITION OF A PUBLIC STREET EASEMENT THAT IS NECESSARY FOR THE WIDENING AND PLACEMENT OF ASSOCIATED FRONTAGE IMPROVEMENTS FROM A PORTION OF PROPERTY OWNED BY TAM THI TRAN AND JIM TRAN NGO AT 2777 E. NEES AVENUE, IN THE AMOUNT OF \$54,000; AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION

(1-J) APPROVE A THREE-YEAR AGREEMENT WITH THE BOYS AND GIRLS CLUB OF FRESNO COUNTY FOR LEAD AGENCY RESPONSIBILITY FOR RECREATIONAL PROGRAMMING AT THE FINK WHITE PARK NEIGHBORHOOD CENTER

On motion of Councilmember Westerlund, seconded by Councilmember Brand, duly carried, **RESOLVED**, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Borgeas, Brand, Quintero, Westerlund, Xiong, Olivier
Noes	:	None
Absent	:	Baines

(9:00 a.m. ‘A’) DEMOLITION OF THE MONTEREY STREET BRIDGE FROM BROADWAY STREET TO CALIFORNIA AVENUE

#1 ADOPT FINDING OF MND EA-10-029 FILED WITH THE COUNTY CLERK WITH PROJECT SPECIFIC MITIGATION RECORD THAT THE PROJECT MAY HAVE A SIGNIFICANT DIRECT, INDIRECT OR CUMULATIVE EFFECT ON THE ENVIRONMENT

#2 AWARD A CONTRACT FOR THE PROJECT TO EVANS BROTHERS, INC., IN THE AMOUNT OF \$968,232, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

Capital Project Manager Son reviewed the issue and recommended approval, all as contained in the staff report as submitted. Councilmember Baines returned to the meeting at 9:14 a.m.

A motion and second was made to approve staff’s recommendation. Mr. Son, Assistant Public Works Director Banuelos and Public Works Director Wiemiller responded to questions of Councilmember Westerlund relative to whether no comments were received from the general public, how long the crude oil line has been abandoned, if there was any contamination in the area, if any testing should be conducted by the city, ground dirt/ownership/expectations/plan, the possibility of homeless camps going up and if fencing was planned for the area, bridge structure, and need for the city to conduct necessary testing to catch any concrete degradation.

On motion of Councilmember Baines, seconded by Councilmember Westerlund, duly carried, **RESOLVED**, the finding of MND EA-11-029 hereby adopted, a contract for the project awarded to Evans Brothers Inc, in the amount of \$968,232, and the Public Works Director or designee authorized to execute the agreement on behalf of the City, by the following vote:

Ayes	:	Baines, Borgeas, Brand, Quintero, Westerlund, Xiong, Olivier
Noes	:	None
Absent	:	None

(9:00 a.m. ‘B’) RESOLUTION NO. 2012-21 - APPROVING THE APPLICATION FOR UP TO \$1 MILLION IN SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVE PROGRAM GRANT FUNDS FROM THE STATE OF CALIFORNIA STRATEGIC GROWTH COUNCIL FOR PREPARATION OF TWO DETAILED PLANNING AND IMPLEMENTATION DOCUMENTS FOR THE WESTERN AND SOUTHWESTERN GEOGRAPHIC PORTIONS OF THE FRESNO METROPOLITAN AREA, AND AUTHORIZING EXECUTION OF DOCUMENTS

Assistant DARM Director Bergthold reviewed the issue and recommended approval, all as contained in the staff report as submitted **(2 – 0)**.

Jeff Roberts, on behalf of Granville Homes, spoke in support of the issue.

Mr. Bergthold responded to questions and/OR comments of Councilmembers Borgeas and Baines relative to the plan for the area west of 99, this being an exciting opportunity for the area, if the project will be subsequent to the general plan update or incorporated with it, this being a wonderful extension/by-product of discussions through the Council Finance and Audit Committee highlighting the importance of west area growth, what these funds will cover, the calculation of growth in the west area being a necessity and not a luxury, when staff anticipates a response back from the state on the application, if staff was requesting funding for community training and building, and request that staff to keep District 3 involved and provide needed outreach to the community. A motion and second was made to adopt the resolution.

Discussion continued with City Manager Scott and Mr. Bergthold responding to questions/comments of Councilmember Westerlund relative to what the city’s chance was of being awarded these funds, if funding has been provided on the SEGA side, \$1 million being a good start and if further funding was anticipated for these projects, and if the work done on the SEGA will allow the city to take the same concept/information and apply it to the west area. Mr. Bergthold responded to questions and comments of Councilmember Xiong relative to whether there was a possibility of not receiving these funds if there is a change of heart in terms of the funding source, this being a long road and commendation to staff for their work, and importance of staff being proactive. Councilmember Quintero presented questions and comments relative to how much money has been spent on the SEGA, if SEGA environmental work was completed, the general plan citizens committee and members, concern with spending \$2 million on the SEGA and not completing the work and request that staff provide updates on what/how these funds are spent, and when the general plan will be brought forth to Council, with Mr. Bergthold and Mr. Scott responding. Councilmember Borgeas stated he hoped lessons were learned in the SEGA process that could be applied here and concurred with Councilmember Quintero’s request to have semi-regular updates to make sure the money is being spent as prudently as possible.

On motion of Councilmember Baines, seconded by Councilmember Borgeas, duly carried, RESOLVED, the above entitled Resolution No. 2012-21 hereby adopted, by the following vote:

Ayes	:	Baines, Borgeas, Brand, Quintero, Westerlund, Xiong, Olivier
Noes	:	None
Absent	:	None

(9:30 A.M.) CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL:

(‘A-2’) EXISTING LITIGATION – CASE NAMES: GUADALUPE FONSECA, ET AL. V. CITY OF FRESNO, ET AL., U.S. EASTERN DISTRICT COURT CASE

The City Council met in closed session in Room 2125 at the hour of 9:41 a.m. to consider the above matter and reconvened in regular open session at 10:05 a.m. Councilmembers Baines, Borgeas and Brand arrived later.

(9:15 A.M.) BILL NO. B-6 – ORDINANCE NO. 2012-6 - AMENDING THE FRESNO MUNICIPAL CODE TO ESTABLISH A CITY COUNCIL APPEAL AND RECISSION PROCESS RELATING TO THE DESIGNATION OF “HERITAGE PROPERTIES” AND FURTHER CLARIFY “HERITAGE PROPERTY” DESIGNATION STATUS – COUNCILMEMBER WESTERLUND

Councilmember Westerlund noted he reviewed this last week and stated there were no changes and made a motion to adopt.

On motion of Councilmember Westerlund, seconded by Councilmember Xiong, duly carried, RESOLVED, the above entitled Bill No. B-6 adopted as Ordinance No. 2012-6, by the following vote:

Ayes : Quintero, Westerlund, Xiong, Olivier
Noes : None
Absent : Baines, Borgeas, Brand

UNSCHEDULED COMMUNICATIONS:

Upon call, no one wished to be heard.

Councilmembers Baines, Borgeas and Brand arrived at 10:07 a.m.

(SPECIAL NOTICE - 10:00 a.m. 'A') PURSUANT TO RESOLUTION NO. 2007-10, APPOINTMENTS TO THE FINANCE AND AUDIT COMMITTEE SHALL BE MADE AS FOLLOWS: *(NO COUNCIL ACTION REQUIRED)*

#1 COUNCIL PRESIDENT SHALL APPOINT A COUNCIL MEMBER TO SERVE AS CHAIRPERSON

#2 THE CHAIRPERSON SHALL APPOINT TWO COUNCIL MEMBERS

#3 THE CHAIRPERSON SHALL APPOINT ONE OF HIS APPOINTEES, TO SERVE AS VICE CHAIRPERSON

#4 THE CITY MANAGER SHALL APPOINT A STAFF MEMBER TO SERVE AS SUPPORT STAFF/SECRETARY TO THE COMMITTEE, WHILE THE POSITION OF CONTROLLER REMAINS VACANT

City Attorney Sanchez explained the appointment process and stated the current members of the Finance and Audit Committee (FAC) were Chair Brand and Councilmembers Borgeas and Olivier, advised in January 2013 the newly elected Council President would have the authority to make new appointments, and stated from his standpoint there was no legally required action for the FAC unless a change was desired. There was no further discussion.

(SPECIAL NOTICE - 10:00 a.m. 'B') AUTHORIZE THE FINANCE AND AUDIT COMMITTEE (FAC) TO INVESTIGATE THE DEBTS OF THE REDEVELOPMENT AGENCY OWNING TO THE CITY OF FRESNO IN THE APPROXIMATE AMOUNT OF \$59 MILLION

Councilmember Brand, speaking as Chair of the FAC, stated he requested this meeting to get Council's consent for the FAC to examine the debt issue between the RDA and the City; spoke to the background and requests he received when he first came on Council to investigate this issue and to his review/research and his finding of no significant issue after receiving explanations on lengthy and complicated financial transactions; stated now with legislation the City is compelled to move forward and find answers/solutions and added at the heart of this was the list of obligation payments that RDA Director Murphey came up with in the amount of \$59 million; elaborated on the history of the RDA, transactions, and a study conducted by The Macias Group on RDA debt and a finding of poor accounting practices; and stated the focus here would be for the FAC to examine transactions, financial practices, and the debt and made a motion to authorize the FAC to investigate the RDA/City debt and return in 90 days with findings and recommendations to set the record straight. The motion was seconded by Councilmember/FAC Member Borgeas who added there was a lot more that was unknown, this would be a good opportunity for the FAC to examine the dynamic of the debts and elaborated, he previously asked the city attorney to compare the city's situation with facts of the city of Cerritos' matter, and commented on the need to look into how debt accumulated over the past 50 years.

Councilmember Westerlund stated he appreciated Councilmember Brand's ideas and thoughts on this but he had a different take; stated state redevelopment law was very complicated and explained the requirement for the City and the RDA to have debt before tax increment financing can be received; stated the \$59 million was all related to the debt required to receive tax increment dollars to put into infrastructure for the city adding the city benefitted from all of this; stated he hated when the news drives what Council does here--especially when the news is based on inaccuracies; and stated he did not see what benefit there would be of setting the record straight and added if the Cerritos case prevails that would be the time to examine the debt as the city will have to go back and look at every single line item of debt, elaborating on all his comments throughout, and stated he would not be supporting the motion.

Councilmember Baines stated although he was not 100% certain an investigation was needed he did not have a problem with the FAC looking into this; stated unless there was some drastic change in state law it was clear the City has no method of collecting money the RDA might owe; and stated if the intent of FAC was to bring clarity to past actions that would be fair and encouraged the report be clear that the committee's work was an exercise in understanding **(3 – 0)**. Councilmember Westerlund left the meeting at 10:31 a.m. during comments and was absent for the remainder of the meeting.

Councilmember Borgeas stated he was a little surprised with comments minimizing this issue, stated “the horse had not left the barn” and to standby on the sidelines was sad, and clarified he previously asked the city attorney to review whether the city of Cerritos had superior facts than Fresno and whether this was something the city could engage in and be an active participant as he felt this was a fundamental issue that went beyond the dissolution rights of the RDA and further elaborated. Councilmember Brand added this issue transcended state legislation/pending litigation, stated based on his research serious issues occurred in the past and the financial transactions he examined which were affirmed by The Macias Group report warranted Council's attention, and agreed Redevelopment Law was complicated but stated Council as a public body had an obligation to translate that to common sense terms that the public can understand adding in the end the public has the right to know what happened over the past 50 years urged Council's support.

Councilmember Xiong agreed this was a complicated issue but stated there was a need to make it as clear and simple as possible, and stated he hoped the enthusiasm shown here would be the same as Council moves forward as the Fresno Revitalization Corporation on matters/items that will need to be grasped daily. Councilmember Baines reiterated his main point was to make sure the public receives the results/report from the FAC in the right context, and commented further on the issue including the considerable amount of discussion/confusion on the debt issue, the need to make things clear for the public, his cautioning against making any expectations in terms of recouping the debt, and how to proceed as the FRC and having long-term, detailed discussions on strategy.

President Olivier stated he thought it was great any time any level of government is investigated, examined, prodded and audited, applauded Councilmember Brand for bringing this forward stating it was the right thing to do for the public who does not understand this, and stated the examination would help shed some light on the path and help as the city moves forward.

On motion of Councilmember Brand, seconded by Councilmember Borgeas, duly carried, **RESOLVED**, the Finance and Audit Committee authorized to investigate the RDA/City debt issue and return to Council in 90 days with findings and recommendations, by the following vote:

Ayes	:	Baines, Borgeas, Brand, Quintero, Xiong, Olivier
Noes	:	None
Absent	:	Westerlund

ADJOURNMENT

There being no further business to bring before the City Council, the hour of 10:51 a.m. having arrived and hearing no objection, President Olivier declared the meeting adjourned.

Approved on the ____ 16th ____ day of ____ February ____, 2012.

_____/s/_____
Clinton Olivier, Council President

ATTEST: _____/s/_____
Yolanda Salazar, Assistant City Clerk